

REMARKS / DISCUSSION OF ISSUES

The present amendment is submitted in response to the Final Office Action mailed August 8, 2010. In view of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Status of Claims

Claims 1-20 remain in this application. Claims 1, 2 and 10 have been amended. Claims 17-20 have been added.

Allowable Subject Matter

Applicant wishes to thank the Examiner for indicating that Claims 2-9 and 11-13 are allowed.

Interview Summary

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Monday, September 20, 2010. During the telephonic interview, proposed amendments to Claims 1 and 2 were presented and discussed. Claim 1 was amended to recite that the optical disc is a multi layer disc with a first boot area residing on a first layer and a second boot area residing on a second layer of the optical data disc. The Examiner agreed that the claim amendments presented would overcome the present art of record. Applicants also presented new Claim 17 reciting similar subject matter and having a slightly different scope from independent claims 1 and 2. The Examiner agreed that new claim 17 would overcome the present art of record, however, a further search may be required.

Claim Rejections under 35 USC 102

A. Rejection of Claims 1, 10 and 14-16

In the Office Action, Claims 1, 10 and 14-16 stand rejected under 35 U.S.C. §102(b) as being anticipated by MagicISO. Applicants traverse the rejections.

Claims 1, 10 and 14-19 are allowable

Independent Claim 1 has been amended herein to better define Applicant's invention over MagicISO. Claim 1 now recites limitations and/or features which are not disclosed by MagicISO. Therefore, the cited portions of MagicISO do not anticipate claim 1, because the cited portions of MagicISO do not teach every element of claim 1. For example, the cited portions of MagicISO do not disclose or suggest, *"wherein the optical data disc comprises a multi layer disc, and the first boot area resides on a first layer of the optical disc and the second boot area resides on a second layer of the optical data disc"*, as recited in claim 1. Instead, MagicISO merely discloses an optical data disc having different boot areas for booting different operating systems (e.g. WinXP and Linux OS). That is, there is no teaching or suggestion in MagicISO of different boot areas residing on different optical layers. Hence, Claim 1 is allowable.

Independent Claim 10, as amended, recites similar subject matter as Independent Claim 1 and therefore contains the limitations of Claim 1. Hence, for at least the same reasons given for Claims 1, Claim 10 is believed to recite statutory subject matter under 35 USC 102(b). Accordingly, claims 14-16 are also allowable, at least by virtue of their dependency from claim 10.

New Claims 17-20 are Allowable

New Claims 17-20 recite additional elements not disclosed or suggested by the above-cited reference.

For example, Claim 17 recites an optical data disc comprising a first boot area; and a second boot area, wherein in an application specific mount process the optical data disc enables an application specific boot from the second boot area, wherein in a non-application specific mount process the optical data disc enables a standard boot from the first boot area, wherein the optical data disc comprises a multi layer data disc, and the first boot area resides on a first layer of the optical data disc and the second boot area resides on a second layer of

the optical data disc; and wherein the optical data disc comprises a multi layer disc, and the first boot area resides on a first layer of the optical disc and the second boot area resides on a second layer of the optical data disc.

New Claims 18-20 mirror existing claims 4, 5 and 7.

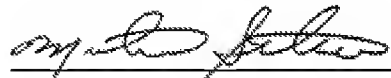
The amendments made herein are without prejudice to expedite prosecution at this time. Applicants expressly reserve the right to pursue the original claims and/or broader claims at another time.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-20 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9652.

Respectfully submitted,



Michael A. Scaturro
Reg. No. 51,356
Attorney for Applicants

Mailing Address:
Intellectual Property Counsel
Philips Electronics North America Corp.
P.O. Box 3001
345 Scarborough Road
Briarcliff Manor, New York 10510-8001